

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF NURSING

Editor's Note: The following two Notices of Rulemaking Docket Opening were exempt per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 3229.)

[R12-230]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its headings: 19, Board of Nursing
Article and its heading: 2, Professional and Practical Nursing Programs; Refresher Programs
Section numbers: 7, Public Participation Procedures
R4-19-201 through R4-19-217; and R4-19-702
- 2. The subject matter of the proposed rule:**
The Arizona State Board of Nursing (Board) is engaging in this rulemaking to implement the plan for rule revision approved by the Governor's Regulatory Review Council on March 2, 2010, for Article 2, and January 10, 2012, for Section R4-19-702 as part of Five-Year Rule Reviews. Other changes have been proposed by stakeholders to increase regulatory effectiveness and public safety.
- 3. A citation to all published notices relating to the procedure:**
Not applicable.
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Pamela Randolph
Associate Director Education and Evidence based Regulation
Address: Arizona State Board of Nursing
4747 N. 7th Street, Suite 200
Phoenix, AZ 85020
Telephone: (602) 771-7803
Fax: (602) 771-7888
E-mail: prandolph@azbn.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Submissions may be made to the Associate Director identified in item 4, at the designated address until the close of the record, January 14, 2013, at 5 p.m. An oral proceeding will be held on January 14, 2013, at 3:30 p.m. in the Board offices at the above address.
- 6. A time table for agency decisions or other action on the proceeding, if known:**
Not known at this time

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF NURSING

[R12-232]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its headings: 19, Board of Nursing
Article and its heading: 5, Advanced and Extended Nursing Practice
Section numbers: R4-19-501 through R4-19-514
- 2. The subject matter of the proposed rule:**
The Arizona State Board of Nursing (Board) is amending Article 5 for the following reasons:
1. To improve consistency between the Board's rules and other state laws, specifically A.R.S. §§ 32-3208 and 41-1080 regarding mandatory reporting of criminal offenses and proof of legal presence.

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2. To incorporate “Uniform Licensure Requirements” adopted by the Delegate Assembly of the National Council of State Boards of Nursing (NCSBN) in August 2011 and the “APRN Consensus Model for APRN Regulation: Licensure, Accreditation, Certification, and Education” (Consensus Model) adopted by NCSBN on July 7, 2008. These requirements establish consistency between nursing regulatory agencies across the country.

3. To implement the plan for rule revision approved by the Governor’s Regulatory Review Council on May 3, 2011, as part of the Five-Year Rule Review of Article 5.

4. To reflect statutory changes regarding Certified Registered Nurse Anesthetists contained in Senate Bill 1362 which became effective August 2, 2012.

5. Other changes are made to provide clarity and understandability.

3. A citation to all published notices relating to the procedure:

Not applicable.

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Pamela Randolph
Associate Director Education and Evidence based Regulation

Address: Arizona State Board of Nursing
4747 N. 7th Street, Suite 200
Phoenix, AZ 85020

Telephone: (602) 771-7803

Fax: (602) 771-7888

E-mail: prandolph@azbn.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Submissions may be made to the Associate Director identified in item 4 at the designated address until the close of the record, January 14, 2013, at 5 p.m. An oral proceeding will be held on January 14, 2013, at 4:30 p.m. in the Board offices at the above address.

6. A time table for agency decisions or other action on the proceeding, if known:

Not yet determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF INSURANCE

Editor’s Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 3229.) The Governor’s Office authorized the notice to proceed through the rulemaking process on September 19, 2011.

[R12-228]

- 1. Title and its heading:** 20, Commerce, Financial Institutions, and Insurance
- Chapter and its heading:** 6, Department of Insurance
- Articles and their headings:** To be determined
- Section numbers:** To be determined

2. The subject matter of the proposed rules:

The Department will propose a rulemaking to adopt the federal requirements for Rate Increase Disclosure and Review under 45 C.F.R. §§ 154.101-154.301 (effective September 1, 2011), which requires a certain review process, known in the federal regulation as “effective rate review,” for small group health insurance rate increases that meet or exceed a federally designated percentage. Currently, the United States Department of Health and Human Services (HHS) is reviewing these rate increases because HHS has determined that Arizona is not able to conduct effective rate reviews. By adopting the federal requirements for effective rate review, Arizona will be able to qualify as an effective rate review state and conduct its own review of rate increases filed by insurers operating in Arizona under Arizona certificates of authority.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Margaret L. McClelland

Address: Arizona Department of Insurance
2910 N. 44th Street, Suite 210
Phoenix, AZ 85018-7526

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Telephone: (602) 364-3471

Fax: (602) 364-3470

5. The time during which written submission may be made and the time and place where oral comments may be made:

The Department will accept written comments during a public comment period that will be noticed in the Notice of Proposed Rulemaking. The Department will schedule an oral proceeding, within the statutorily mandated time-frame, to be noticed in the Notice of Proposed Rulemaking in the *Arizona Administrative Register*.

6. A timetable for agency decisions or other action in the proceeding:

The Department expects to file a Notice of Proposed Rulemaking in the second quarter of 2013.